

Laura Collins
S.L.C.

Pending
AMENDMENT NO. _____

Calendar No. _____

Purpose: To improve the bill by waiving the \$40,000 penalty on hiring previously unemployed individuals.

IN THE SENATE OF THE UNITED STATES—111th Cong., 2d Sess.

H. R. 4872

AMENDMENT NO 3638
To pr _____ the
ci By *Collins* 110
(§ To *H.R. 4872*
Refer _____ id
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GPO: 2008-45-603 (mac)

AMENDMENT intended to be proposed by Ms. COLLINS

Viz:

- 1 At the end of section 1003, add the following:
- 2 (e) UNEMPLOYED INDIVIDUAL NOT TAKEN INTO AC-
- 3 COUNT.—Paragraph (5) of section 4980H(d) of the Inter-
- 4 nal Revenue Code of 1986, as added by the Patient Pro-
- 5 tection and Affordable Care Act, is amended by adding
- 6 at the end the following new subparagraph:
- 7 “(C) EXCEPTION FOR PREVIOUSLY UNEM-
- 8 PLOYED INDIVIDUALS.—

1 “(i) IN GENERAL.—The term ‘full-
2 time employee’ shall not include any indi-
3 vidual who certifies by signed affidavit,
4 under penalties of perjury, that such indi-
5 vidual has not been employed from more
6 than 40 hours during the 60-day period
7 ending on the date such individual begins
8 such employment.

9 “(ii) EXCEPTION FOR REPLACEMENT
10 WORKERS.—Clause (i) shall not apply to
11 an individual who is employed by the em-
12 ployer to replace another employee of such
13 employer unless such other employee sepa-
14 rated from employment voluntarily or for
15 cause.”.